

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Mar 04, 2021

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

ROBERT C.,

v.

ANDREW M. SAUL,
COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

No. 1:20-CV-3033-JTR

ORDER GRANTING STIPULATED
MOTION FOR REMAND
PURSUANT TO SENTENCE FOUR
OF 42 U.S.C. § 405(g)

BEFORE THE COURT is the parties' stipulated motion to remand the above-captioned matter to the Commissioner for additional administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). ECF No. 28. Attorney D. James Tree represents Plaintiff; Special Assistant United States Attorney Martha A. Boden represents Defendant. The parties have consented to proceed before a magistrate judge. ECF No. 9. After considering the file and proposed order, **IT IS ORDERED:**

1. The parties' Stipulated Motion for Remand, **ECF No. 28**, is **GRANTED**. The above-captioned case is **REVERSED** and **REMANDED** to the Commissioner of Social Security for further administrative action pursuant to sentence four of 42 U.S.C. § 405(g).

On remand, the Administrative Law Judge (ALJ) shall offer Plaintiff the opportunity for a new hearing and issue a new decision. The ALJ is directed to:
(1) reconsider whether Plaintiff's impairments meet or medically equal the severity

1 of a listed impairment, including Sections 1.02 and 1.04A; and (2) proceed with
2 the sequential evaluation process as necessary.

3 2. **Judgment shall be entered for PLAINTIFF.**

4 3. Plaintiff's Motion for Summary Judgment, **ECF No. 16**, is
5 **STRICKEN AS MOOT.**

6 4. An application for attorney fees and costs may be filed by separate
7 motion.

8 The District Court Executive is directed to enter this Order, forward copies
9 to counsel, and **CLOSE THE FILE.**

10 DATED March 4, 2021.

A handwritten signature in black ink, appearing to be "M", is written above a horizontal line.

JOHN T. RODGERS
UNITED STATES MAGISTRATE JUDGE